

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

– against –

BARRY C. HONIG, MICHAEL BRAUSER,
JOHN STETSON, JOHN R. O'ROURKE III,
ROBERT LADD, ELLIOT MAZA,
BRIAN KELLER, JOHN H. FORD,
ATG CAPITAL LLC, GRQ CONSULTANTS,
INC., HS CONTRARIAN INVESTMENTS,
LLC, GRANDER HOLDINGS, INC., and
STETSON CAPITAL INVESTMENTS INC.,

Defendants.

ORDER

18 Civ. 8175 (ER)

RAMOS, D.J.:

In an Opinion & Order dated November 30, 2021, the Court granted in part and denied in part the SEC's motion to strike Ladd's Answer. Doc. 295. Specifically, the Court ordered that:

- (1) the SEC's motion was GRANTED to the extent that it seeks to strike an advice-of-counsel defense from Ladd's Answer and any evidence or argument related thereto;
- (2) the SEC's motion was GRANTED to the extent that it seeks a formal withdrawal of the defense of good faith or, in the alternative, the production of privileged communications between Ladd and MGT's counsel related to the categories described above; and
- (3) the SEC's motion was DENIED to the extent that it seeks the production of privileged communications between Honig and Honig's counsel.

Thus, the parties are hereby directed to meet and confer and submit to the Court by January 5, 2022 a joint status report regarding the withdrawal of the defense of good

faith or a proposed discovery schedule for the production of privileged communications between Ladd and MGT's counsel.

It is SO ORDERED.

Dated: December 3, 2021
New York, New York



EDGARDO RAMOS, U.S.D.J.